

ATTORNEY'S DOCKET NUMBER: 2003390-0033

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Eric Nadeau *et al.*

Application No.: 10/587,960

Confirmation No.: 6652

Filed: March 22, 2007

Art Unit: 1651

For: USE OF LIVE BACTERIA FOR GROWTH
PROMOTION IN ANIMALS

Examiner: Davis, Ruth A.

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing of a first Office action on the merits (37 CFR 1.97(b)(3)).

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

One of the cited references (Alexa et al.) is in a non-English language. The Examiner is referred to the English abstract that can be found on the first page of the reference.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

A payment in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed.

Dated: November 24, 2009

Respectfully submitted,

/Charles E. Lyon/

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